

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BLAISE DIETZ, et al.,

Plaintiffs,

Case No. 3:09-cv-327

Judge Thomas M. Rose

-v-

**BECKMAN WEIL SHEPARDSON LLC,
et al.,**

Defendants.

ORDER

The above-captioned matter was removed to this Court by the Defendants based upon this Court having diversity subject matter jurisdiction. This Court is sua sponte reviewing its diversity subject matter jurisdiction.

Beckman Weil Shepardson has not identified the names or citizenship of its members and has instead claimed that it is a corporate citizen of Ohio. However, a Limited Liability Company, such as Beckman Weil Shepardson, is not treated as a corporation and has the citizenship of its members. *See Homfeld II, L.L.C. v. Comair Holdings, Inc.*, 53 Fed. Appx. 731, 732-33 (6th Cir. 2002). Therefore, Beckman Weil Shepardson is given until not later than thirty (30) days following entry of this Order to provide the Court with the names and citizenship of its members. Failure to do so may result in remand of this matter back to the Court of Common Pleas of Montgomery County, Ohio.

DONE and **ORDERED** in Dayton, Ohio this Thirty-First day of August, 2009.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT

JUDGE

Copies furnished to:

Counsel of Record